Agenda – Council – February 23, 2023

Report – Executive Policy Committee – February 14, 2023

Item No. 10 City of Winnipeg Employee Conflict of Interest

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 14, 2023, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That the previous Conflict of Interest Policy approved by Council on July 18, 2019, be rescinded.

2. That the updated City's Conflict of Interest Policy, attached as Appendix A, be adopted.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Executive Policy Committee – February 14, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 14, 2023, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: City of Winnipeg Employee Conflict of Interest

Critical Path: Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
T. Chatel	A. Cusson	N/A	M. Jack

EXECUTIVE SUMMARY

The purpose of the Employee Conflict of Interest Policy is to define what a conflict of interest is, what process needs to be followed, how to avoid a conflict situation, what needs to be done to assess a conflict, and what is required to essentially eliminate the conflict and resolve the issue fully for the protection of the employee and in the best interest of the City.

To highlight the importance and significance of accountability, transparency and ethics in the City of Winnipeg, an updated Conflict of Interest Policy has been prepared for Council's approval. This bi-annual update was due and reflects the re-alignment of the Senior Management Team and organizational structure changes made by the Office of the Chief Administrative Officer in 2020.

Updates to clarify stages and steps of the approval and appeal process of the policy have been included. All changes to the Employee Conflict of Interest Policy's Appendix A, are highlighted in the Appendix B Comparison Document.

RECOMMENDATIONS

1. That the previous Conflict of Interest Policy approved by Council on July 18, 2019, be rescinded.

2. That the updated City's Conflict of Interest Policy be adopted.

3. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

The Chief Administrative Officer (CAO), with assistance from the Human Resource Services Department, is accountable for reviewing the Conflict of Interest Policy bi-annually, and bringing forth changes to Council for approval.

IMPLICATIONS OF THE RECOMMENDATIONS

Implementing an amended Conflict of Interest Policy will further support the City of Winnipeg's essential core values of Accountability, Diversity, Respect, Trust, and Transparency and compliments the City's goals of public accountability by strengthening the ethical environment and framework in which we work.

HISTORY/DISCUSSION

The Chief Administrative Officer, with assistance from Human Resource Services, is accountable for reviewing the Conflict of Interest policy bi-annually and putting forth changes to Council for approval.

On July 18, 2019, Council approved updated Employee Code of Conduct and Conflict of Interest Council Policy.

During the Fall of 2020 the structure of the City's Public Service Senior Management Team underwent a reorganization that included the creation of new positions, such as, the Deputy Chief Administrative Officer, it also removed the Chief Transportation and Utilities Officer position and removed the "Chief" title from a number of senior management positions including the four (4) City of Winnipeg Special Operating Agency (SOA) Chief Operations Officer positions. The updates also include the appropriate authorities for each review and approval stage of the policy process and as well as the appeal process.

Changes to the policy's appendix include:

- Further clarifies that management-level staff are responsible for receiving, assessing and documenting and resolving disclosures under the Policy;
- Further clarifies the appeals process;
- That documentation of an actual, perceived or anticipated conflict of interest that has been disclosed will be kept on the employee's file;
- That material related to the disclosure are no longer 'sealed' on the employee's file, as contents and access to the file are already governed by City privacy rules and relevant legislation;
- The FAQ section has been updated to include possible conflict scenarios that were not addressed in the prior policy document; and
- The document has also been formatted in a new template.

Appendix B provides a detailed overview of the changes from the previous version in a comparison document.

The updated Conflict of Interest policy will be implemented pending Council's approval to the recommendations, and will outline the rules by which all Public Servants must abide.

FINANCIAL IMPACT

Financial Impact Statement

Date: December 19, 2022

Project Name:

City of Winnipeg Employee Conflict of Interest

COMMENTS:

There are no financial implications associated with the recommendations of this report.

Fernando Dela Cruz for J. Peters - Dec. 19, 2022
Jocelyn Peters, CPA, CGA
Manager of Finance & Admin. (Campus)

CONSULTATION

- This Report has been prepared in consultation with:
- Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

LEADERSHIP AND GOOD GOVERNANCE
1.16 Equitable Funding Distribution
1.18 Responsive, Representative Workforce

The conflict of Interest Policy applies to Our Winnipeg2045 Leadership & Good Governance. By ensuring that employees who work for the City of Winnipeg have a mechanism for disclosing a conflict of interest, this will assist city employees to reduce any unfair advantage they may have due to their position with the City and make clear their need to remove themselves from any process where perceived or real conflict could exist. This also protects the employee and City from the optics of unfairness and promotes transparency and accountability of the public service.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Human Resource Services
Division:
Prepared by: Tara Chatel, Manager Human Resources
Date: December 19, 2022
File No: N/A

Attachments:

Appendix A: Updated Conflict of Interest Policy's Appendix A

Appendix B: Comparison Document